

# **Exhibit A**

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF SUFFOLK  
MICHELE INTREGLIA and ANGEL COVARRUBIAS,

Index No.

60338/2022

Date Filed: 2/23/2022

Plaintiff(s),

vs.

THE TJX COMPANIES, INC.,

SUMMONS

Defendant(s).

TO THE ABOVE NAMED DEFENDANT

YOU ARE HEREBY SUMMONED to answer the complaint in this action, and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the plaintiff's attorneys within twenty days after the service of this summons, exclusive of the day of service, where service is made by delivery upon you personally within the state, or within 30 days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Plaintiff(s) designate(s) Suffolk County as the place of trial.

The basis of the venue is plaintiffs' residence.

Plaintiff(s) reside(s) at 9 1st Avenue, East Islip, New York 11730,

County of Suffolk.

Dated this 3<sup>rd</sup> day of November, 2021.

Defendant's(s') address(es):

Local: 2650 Sunrise Highway  
East Islip, New York 11730

Corporate: 770 Cochituate Road  
Framingham, MA 01701



TINARI, O'CONNELL & OSBORN, LLP

By: Frank A. Tinari, Esq.

Attorneys for Plaintiff(s)

Office and Post Office Address

320 Carleton Avenue, Suite 6800

Central Islip, New York 11722

(631) 342-8070

**PLEASE FORWARD THESE DOCUMENTS TO YOUR INSURANCE CARRIER OR  
CONSULT AN ATTORNEY IMMEDIATELY TO AVOID A JUDGMENT**

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF SUFFOLK

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MICHELE INTREGLIA and ANGEL COVARRUBIAS,

Plaintiff(s),

-against-

**VERIFIED COMPLAINT**

THE TJX COMPANIES, INC.,

Defendant(s).

\_\_\_\_\_  
X

The plaintiffs, Michele Intreglia and Angel Covarrubias, as and for their Complaint against the defendant, The TJX Companies, Inc., allege as follows upon information and belief:

**AS AND FOR A FIRST CAUSE OF ACTION  
ON BEHALF OF MICHELE INTREGLIA**

1. That at all times hereinafter mentioned, the plaintiffs, Michele Intreglia and Angel Covarrubias, were and still are residents of the County of Suffolk, State of New York.

2. That at all times hereinafter mentioned, the defendant, The TJX Companies, Inc., was and still is a foreign corporation duly authorized to do business in the State of New York.

3. That at all times hereinafter mentioned, the defendant, The TJX Companies, Inc., was and still is doing business in the State of York.

4. That at all times hereinafter mentioned, the defendant, The TJX Companies, Inc., was and still is doing business as Marshalls.

5. That at all times hereinafter mentioned, the defendant The TJX Companies owned the Marshalls retail store located a 2650 Sunrise Highway, East Islip, New York.

6. That at all times hereinafter mentioned, the defendant The TJX Companies operated the aforesaid Marshalls retail store.

7. That at all times hereinafter mentioned, the defendant The TJX Companies maintained the aforesaid Marshalls retail store.

8. That at all times hereinafter mentioned, the defendant The TJX Companies managed the aforesaid Marshalls retail store.

9. That at all times hereinafter mentioned, the defendant The TJX Companies controlled the aforesaid Marshalls retail store.

10. That on May 21, 2021, the plaintiff Michele Intreglia was a patron of the aforesaid Marshalls retail store.

11. That on May 21, 2021, as the plaintiff Michele Intreglia was walking in the 2nd aisle of the retail store between the Pajama Bras section and the Beauty Section, she was caused to slip and fall due to the wet and slippery condition of the aisle.

12. That as a result of the foregoing, the plaintiff Michele Intreglia was caused to sustain serious and protracted personal injuries.

13. That the aforesaid incident and the serious injuries sustained by the plaintiff were occasioned through the negligence of the defendant in the ownership, operation, maintenance, management, and control of the aforesaid retail store; in causing and permitting the retail store to become and remain in a dangerous and defective condition and dangerous to patrons of the retail store; in causing and

permitting an aisle of the retail store to become and remain in a dangerous and defective condition and dangerous to walk upon; in causing and permitting the aisle of the retail store to become and remain in a slippery, wet and dangerous condition due to the existence and accumulation of a liquid in the aisle; in that a box was leaking a liquid onto the aisle; in causing and permitting the box to leak; in stacking boxes in such a manner so as to cause them to leak; in failing to remedy the aforesaid dangerous and defective conditions despite having knowledge and notice of same; in failing to warn the plaintiff of the aforesaid dangerous and defective; and in being otherwise negligent in the premises.

14. That as a result of the foregoing, the plaintiff Michele Intreglia has been damaged in a sum which exceeds the jurisdictional limit of any other Court which would otherwise have jurisdiction.

**AS AND FOR A SECOND CAUSE OF ACTION  
ON BEHALF OF ANGEL COVARRUBIAS**

15. That the plaintiff repeats, reiterates and realleges each and every allegation contained in paragraphs "1" through "14" of this Complaint as if fully set forth herein at length.

16. That the plaintiff is the legal husband of the plaintiff Michele Intreglia and as such did reside with her at all times heretofore and hereinafter mentioned in the County of Suffolk, State of New York, and he resided with her on May 21, 2021, and for a long time prior thereto and with whom this plaintiff does reside; and as such lawful husband, this plaintiff is entitled to the love, society, consortium, happiness, services and duties of his wife, which immediately prior to the accident and for a long time prior thereto, this plaintiff therefore enjoyed.

17. That as a result of the foregoing, the injuries to this plaintiff's wife, this plaintiff has been deprived of the services, society, consortium, love, happiness and duties of his said wife and in the future will continue to be so deprived, all to his damage in a sum which exceeds the jurisdictional limit of any other Court which would otherwise have jurisdiction.

WHEREFORE, the plaintiffs demand judgment against the defendant, The TJX Companies, Inc., as follows:

1. On the first cause of action on behalf of Michele Intreglia in a sum to be determined;
2. On the second cause of action on behalf of Angel Covarrubias in a sum to be determined;

All together with interest, costs and disbursements.

Dated: Central Islip, New York  
November 3, 2021

Yours, etc.,

TINARI, O'CONNELL & OSBORN, LLP

By: 

Frank A. Tinari, Esq.

Attorneys for Plaintiff(s)  
320 Carleton Avenue, Suite 6800  
Central Islip, New York 11722  
(631) 342-8070


## VERIFICATION

STATE OF NEW YORK) SS.:  
COUNTY OF SUFFOLK)

MICHELE INTREGLIA, being duly sworn, deposes and says that she is the plaintiff in the within action; that she has read the foregoing COMPLAINT and knows the contents thereof; that the same is true to her own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters she believes it to be true.

  
MICHELE INTREGLIA

Sworn to before me this  
3<sup>rd</sup> day of February, 2021.  
November

  
Notary Public

FRANK ALBERT TINARI  
NOTARY PUBLIC, STATE OF NEW YORK  
No. 02TM840X70  
Qualified in Suffolk County  
Commission Expires July 31, 2025